

WEATHER FORECAST:
Fair tonight and Thursday.
(Full Report on Page Two.)

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HOME
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WASHINGTON, WEDNESDAY EVENING, JUNE 9, 1915.

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FRANK LOSES HIS BATTLE FOR LIFE; PARDON REFUSED

Georgia Board Votes Two to One in Denying Clemency to Brooklyn Man Accused of Phagan Murder in Atlanta.

GOVERNOR WILL ACCEPT RESULT

ATLANTA, Ga., June 9.—Leo M. Frank must die for the murder of little Mary Phagan.

Georgia's board of pardons decided this today when by a vote of 2 to 1 it refused to grant Frank's plea for the substitution of a life sentence for the death penalty.

Commissioners Rainey and Davidson voted against Frank, while Commissioner Patterson voted for the life sentence.

This decision of the board came as a stunning surprise to Frank and his lawyers. There had been repeated semi-official statements indicating the board would favor the life sentence and Frank, his friends, and his lawyers had been buoyed up by hope.

It is confidently expected here that with the decision before him the governor will not interfere in any way and that the sentence of execution will be carried out.

The condemned murderer of the little factory girl has exhausted every recourse in his attempt to gain either his liberty or a commutation of his death sentence. The case was recently before the Supreme Court of the United States on the plea that the "mob spirit" prevailing at the time precluded the defendant a fair and impartial trial.

On April 19 the Supreme Court refused to set aside Frank's conviction. He then turned to the Georgia prison commission. Overwhelmed with hundreds of petitions for and against the appeal of the condemned man for a commutation of his death sentence to life imprisonment or a pardon the commission considered Frank's plea for days.

Jury for Henry Trial Selected After Fight

Counsel for Defendant Takes Exception After Exception to Court's Rulings, Indicating That Struggle Will Be Long and Bitter.

A jury for the trial of John William Henry, member of the defunct brokerage firm of Lewis Johnson & Co., who is accused of embezzlement and false pretenses, finally was obtained in Criminal Court No. 2 early this afternoon.

During the morning session the defendant's counsel gave indications of a determination to fight the case all the way by making several exceptions to the rulings of the court, Justice Siddons presiding, concerning the peremptory challenge of jurors.

The defense insisted that challenges should be exercised alternately by the Government and the defendant, but at the instance of the Government counsel the attorneys for the accused broker were required to use four challenges in succession.

This precipitated the first clash between counsel. Former Justice Wright, of counsel for the defendant, attempted to force the District Attorney to announce whether he was satisfied with the jury as then constituted, but Justice Siddons held that the question need not be answered, and the defense should proceed to challenge if it desired. To each of such rulings Mr. Wright noted an exception.

Both sides exhausted all challenges each before the jury was completed this afternoon. The jury finally selected to try Mr. Henry is as follows: Arthur M. Connor, real estate operator; Clifford C. Weinberger, carriage builder; Francis Endres, dairyman; Fred W. Chanton, bartender; Benjamin Mundell, salesman; Robert C. Rice, photographer; John N. Harding, superintendent department store; William F. Betts, manager grain store; James S. Bolden, janitor; Cyrus Mantz, jr., editorial staff Army and Navy Register; George M. Gordon, clerk, and William F. Rawlings, motorman.

The jury is composed of middle-aged men, the average age being about forty-five. All members of the jury are white with the exception of James S. Bolden, janitor of the Louisiana apartments.

Forecast of a legal battle in advance of the taking of evidence this afternoon was given when former Justice Wright informed the court, just prior to the luncheon recess, that he might request that the jury be excused at the afternoon session while he argued "certain points of law." Mr. Wright said his argument probably would consume the entire afternoon.

District Attorney Laskey said he knew of no points of law to be argued at this juncture, but Mr. Wright did not disclose his first step to free his client. Justice Siddons said he would determine later the advisability of excusing the jury until tomorrow morning.

Britain's Casualties 258,259

LONDON, June 9.—Great Britain casualties during the war, up to May 31 total 258,259, Premier Asquith announced in the house of commons.

"FORCED TO MARRY;" ASKS ANNULMENT

Corra V. Smith Declares She Was Held in Servitude and Unable to Escape.

Alleging that she married the defendant "as a result of coercion and duress," and that she "was held in practical servitude until she was able to escape," Corra V. Smith today, through her attorney, D. Edward Clarke, filed a petition seeking an annulment of the marriage ceremony and an order restraining Eddie H. Smith from molesting or interfering with her.

The petitioner avers they were married on February 26, 1915, prior to which she threatened to kill her if she did not marry him, and, in fact, did attempt to administer carbolic acid to her. She said that while held captive in 1028 Twelfth street southeast, Smith sold her clothing, jewelry, and personal effects, and when she went to live at 1530 Levy street northeast he ill-treated her.

The petition further alleges that Smith is now serving a sentence at Occoquan for assaulting and threatening her. Other charges are contained in the petition.

DEFEND HIGHER RATE FOR MEAT TRAFFIC

Railroads File Briefs To Support Tariff—State's Make Objections.

FO Briefs were filed with the Interstate Commerce Commission today by the Western railroads in defense of increased tariffs on live stock and packing house shipments, while a committee of Western State railroad commissions urged that the rate increases be permanently suspended.

The railroads contend that present rates do not contribute their just proportion of railroad revenue. The railroad commissioners contend that the competition of Argentina and Australia aggravates present hardships of stock growers.

Arguments will be heard by the commission later.

MORE ACCUSED OF "GOUGING" IN ANNAPOLIS INVESTIGATION

W. A. Confer, of Graduating Class, and Midshipman A. C. Rogers Become Defendants as Result of Testimony.

Many More Officers and Midshipmen Will Be Involved in Proceedings Now, President Russell Announces.

ANNAPOLIS, June 9.—The scope of the work of the court of inquiry in session at the Naval Academy to investigate the use of alleged unfair means in examinations was broadened immediately after the opening of today's session.

President Russell announced that owing to the testimony of Commander Traut yesterday, Ensign W. A. Confer, a member of the graduating class, and Midshipman A. C. Rogers, of the second class, had become defendants, and that they would have the right to counsel.

Midshipman Rogers took a seat in court at once. Judge Advocate Watts stated that the superintendent's office had been notified of the status of Ensign Confer and that it had asked, through the Bureau of Navigation, that he should be recalled from leave at once.

MANY INVOLVED.

Captain Russell said that a large number of officers and midshipmen would be involved in the proceedings and that each would be given an opportunity of seeing the whole record and of recalling such witnesses as may be necessary.

Commander Traut said that the evidence derived from scraps of paper found outside of the examination room tended to show that Confer had received assistance and that a memorandum in the handwriting of Midshipman Rogers contained both questions that were given in the examination and their answers.

Continuing his testimony this morning, Commander F. A. Traut, head of the department of modern languages, the storm center of the present, furnished the names of additional men who have been under a certain amount of suspicion in connection with scraps and whole pieces of paper found in the vicinity of the room in which those examinations were held.

These are A. D. Struble, R. R. Burnham, W. J. Nunnally, and E. B. Hough, all of whom were graduates of the academy, and A. C. Friend, members of the same class, but who were dismissed on another charge the week of graduation.

Rogers, A. C. Friend, who has already been connected with the inquiry as a defendant.

"Scraps of paper forming questions (Continued on Third Page.)

GERMAN FLEET IN BALTIC BLOCKED

Russian Submarines Attack Ten Ships Attempting to Land Troops.

PETROGRAD, June 9.—Russian submarines sank the German steamer Hindenburg and attacked a fleet of ten German ships in the Baltic, it is semi-officially announced here today.

A second class German cruiser struck a mine in the Gulf of Riga and was badly damaged, the statement said. Other German ships towed her away.

A series of engagements between Russian submarines and German ships have occurred off the entrance to the Gulf of Riga. The Germans are attempting to land troops from transports to attack Riga.

A submarine encountered ten ships of the enemy between Windau and the island of Gotland, the semi-official announcement said. The submarine shot several torpedoes. The German ships separated and made off, apparently not badly damaged.

The Hindenburg was torpedoed and blown up off Papezsee. The semi-official statement gave no details regarding loss of lives. The German second class cruiser reported to have been damaged by a mine, was towed away in the direction of Libau.

Shipping records list no German steamer named the Hindenburg. It is possible, however, that a German vessel has been named after the Teutonic army commander.

U. S. NOTE OFF TO BERLIN NO SURRENDER OF RIGHTS; BRYAN IS OUT OF CABINET

LONDON SAYS WILSON'S NOTE HINTS AT WAR

British Newspapers See Tremendous Significance in Bryan's Resignation.

NEWS SHOCKS ALL ENGLAND

Action of Premier Taken to Indicate That Germany Will Not Favor U. S. Demands.

LONDON, June 9.—London newspapers today interpreted Secretary of State Bryan's resignation as an indication that President Wilson's rejoinder to Germany is so firmly phrased that war between the United States and Germany may result.

"Secretary Bryan's resignation deals the last blow to the legend that President Wilson lacks nerve," said the Pall Mall Gazette, in its leading editorial. "Mr. Wilson, in his leading editorial, has given conclusive proof that his prolonged restraint was not timidity, but the moderation of strength."

The Gazette's comment was typical of that of the London evening newspapers. They were unanimous in discrediting the idea that any Cabinet crisis had been precipitated by Bryan's resignation.

News that Bryan had left the Cabinet was regarded as of tremendous importance by the London newspapers. The regular editions of the morning papers were not published when the first bulletin was flashed here.

Postscripts Are Issued.

The morning papers quickly "made over" and gave prominent display to the news from Washington, though it arrived too late for editorial comment.

The early editions of the evening papers were not wanting in dramatic features. The newspapers had not dwelt in entire harmony with newspapermen. About a week ago he read them a severe lecture for playing him with questions which he deemed improper. Today he seemed in a charitable mood and spoke in that vein.

His voice at times seemed ready to break with emotion. To the large body of newspapermen assembled he said:

"I want you all to notice that I am not late two months. Sometimes I (Continued on Second Page.)

Comment of the American Press

The American press today is almost unanimous in declaring that Bryan's resignation clears the atmosphere, and that the President can be trusted to handle the situation. Some comments follow:

New York Times.

Mr. Bryan has done well in resigning. It is perhaps the wisest act of his political career.

Buffalo Express.

Mr. Bryan resigned as Secretary of State yesterday. The Wilson Administration is to be congratulated. The people of the United States are to be congratulated. Perhaps it may justly be added that Mr. Bryan himself is to be congratulated. He had been from the beginning of the Administration a heavy load on the shoulders of an earnest and well-meaning President.

Philadelphia Record.

As a champion of pacific principles, Mr. Bryan, by resigning rather than sacrifice them, will command himself to the advocates of peace at any price who are not just now conspicuous for their numbers. But as a patriotic American he has placed himself in a very difficult position.

Chicago Herald.

Probably for the first time in his public career William Jennings Bryan will find the people of the United States practically unanimous in favor of something he has put forward—his resignation from the Cabinet. Mr. Bryan as a private citizen will be less a menace to the peace of the nation than he has been as Secretary of State.

New Orleans Pickens.

Mr. Bryan's resignation as Secretary of State does not take the country by surprise, though it was scarcely expected at this critical juncture.

His withdrawal in these circumstances is becoming and commendable.

Boston Advertiser.

The announcement of the withdrawal of William Jennings Bryan from the (Continued on Fourth Page.)

BRYAN CALLS ON WILSON TO SAY FAREWELL

Retiring Premier Says He May Visit White House Later in Personal Capacity.

DENIES HAVING ANY PLANS

Tells Associates and Friends in State Department Good-bye. To Issue Statement.

Secretary Bryan paid his formal farewell visit to the White House at 12:30 today. He saw no reason, however, he said, why he might not make later calls in his personal capacity.

The Secretary walked over from the State Department and found the President and Secretary Tumulty awaiting him.

Secretary Bryan returned from his visit to the White House at 12:45. At the southeast entrance of the State Department building he again met Counselor Lansing, and the camera men took their pictures as they stood together.

Some of the camera men wanted Mr. Bryan and Mr. Lansing to assume poses, but they refused. After shaking hands with Mr. Lansing and bidding him good-bye, Mr. Bryan called his coachman and departed for his house at 1 o'clock.

Tells Associates Good-bye.

Mr. Bryan's leave taking of the Department and of his associates in the Government was formal for the most part, but it was not without its sober and impressive side.

He arrived at the State Department shortly before 10 o'clock, signed the mail, shook hands with officials and employees who called at his office at 12, went about the State, War and Navy building, and bade good-bye to some of his closest friends, especially Secretary of the Navy Daniels and Assistant Secretary of the Navy Roosevelt.

To Issue Statement.

Mr. Bryan announced that his resignation takes effect when the note to Germany is sent this afternoon and that he would have a statement to give out at that time at his house.

The scene when Secretary Bryan saw the newspapermen at 8 o'clock before he was not wanting in dramatic features. The Secretary had not dwelt in entire harmony with newspapermen. About a week ago he read them a severe lecture for playing him with questions which he deemed improper. Today he seemed in a charitable mood and spoke in that vein.

His voice at times seemed ready to break with emotion. To the large body of newspapermen assembled he said:

"I want you all to notice that I am not late two months. Sometimes I (Continued on Second Page.)

BERLIN DIPLOMAT SILENT ON BRYAN

Cordial Relations Long Existed Between Department and Foreign Envoys.

There is no doubt of the friendly feeling that existed between Secretary Bryan and the Kaiser's representative in America, Count von Bernstorff, but in America, Count von Bernstorff, there is no doubt either as to the existence of the same relationship between Bryan and the other representatives of foreign governments.

Expressions of esteem for the retiring Secretary were heard everywhere in diplomatic circles, for in the two years he served he had made himself cordially liked.

At the German embassy the same optimism that has characterized it for the past two weeks was evident. Ambassador Bernstorff, of course, refused to discuss the resignation of Secretary Bryan or its effect on the negotiations now under way, but there were many indications that the abrupt announcement of last night had not shaken German confidence in a peaceful settlement.

"Where neither wants war, it is hard for two people to fight," was the remark of a German close to the embassy. "Nothing is clearer than the fact that neither the United States nor Germany wants war, and there will be none."

Announces He Will Remain in Cabinet

Secretary Daniels.

DANIELS DENIES HE INTENDS TO RESIGN

Secretary of the Navy Sets at Rest Reports That He Would Follow Bryan.

Secretary of the Navy Daniels has not resigned, has not thought of resigning, and does not intend to resign, was the statement given out from the Secretary's office today in response to reports that he had joined Bryan in retirement from President Wilson's Cabinet.

All nine members of the Cabinet are behind the President, was Daniels' own way of explaining that no difference existed between himself and his chief. "You can say there is absolutely no foundation for the report," was the supplementary declaration by Departmental Private Secretary Banks.

Presidential Private Secretary Tumulty joined in the denial.

PLAN OF COALITION CABINET IS DENIED

Plenty of Good Democratic Material, Is Statement Made at White House.

It was denied at the White House today with much emphasis that the Administration had any thought, as was reported, of a coalition Cabinet. There was no necessity for one, it was stated, and whenever there were places to fill there was plenty of good Democratic material. Answering suggestions that Richard Olney might get the Secretaryship of State, attention was called to the fact that Olney already had declined the London mission and the chairmanship of the Foreign Reserve Board on the ground that he was too old.

Trial of Albert Lepper Postponed to June 16

Inability of the attorneys to prepare their case caused the postponement until June 16 of the hearing of Albert Lepper, of the Washington Saengerbund Club, on the charge of keeping the bar of the club open on Sunday.

The case will be tried before Judge Mullenbary in the District branch of the Police Court.

Dernburg Will Sail for Norway Next Saturday

NEW YORK, June 9.—Dr. Dernburg, who has been frequently referred to as the unofficial representative of the Kaiser here, will leave the United States Saturday on the steamship Bergenfjord, according to an announcement by the Norwegian-American line, whose ships ply between New York and Norwegian ports.

Greek King Better, Doctors Are Hopeful

ATHENS, June 9.—King Constantine's condition shows marked improvement, today's official bulletin stated. He has not yet passed the danger point, but his physicians are extremely hopeful.

PREMIER QUIT BECAUSE NOTE WAS IN NATURE OF ULTIMATUM

Bryan Denies Having Formed Any Plans for Future—Will Issue Statement on His Course This Afternoon.

Rejection of New American Demands by Germany Would Force Withdrawal of Ambassador From Berlin

America's rejoinder to Germany, calling on that government to render "a strict accountability" for the destruction of American lives on the Lusitania, is now on its way to Berlin.

It was signed by Acting Secretary of State Lansing at 12:50 o'clock this afternoon. At that moment William Jennings Bryan, unable to agree with the vigorous tone of the note, and fearing that it means war, ceased to be a member of the Cabinet.

Amid an atmosphere of intense excitement, Washington today awaits the climax and the consequences of the developments which have brought about the resignation of William Jennings Bryan as Secretary of State.

AWAITING CLIMAX.

The climax is momentarily expected. It will come after the note to Germany is put on the wires and the resignation of Mr. Bryan becomes effective.

Then he will issue his statement explaining the reasons which prompted him to resign.

At the same moment the Administration of the foreign policy of the United States will pass from the nominal direction of a man who has believed in peace at almost any price, to the hands of one, who, in complete accord with the President, feels that peace is only possible to a nation which is willing, if necessary, to fight for its rights.

UP TO BERLIN.

From the moment that these things happen, the consequences must begin to develop. There will be no turning back from the policy in behalf of which President Wilson has met the supreme test of the courage of his convictions. Germany must state clearly its position in answer to America's demands and upon Berlin will depend the future course of Germany's relations with the United States.

The American public will not have opportunity to read these demands until Friday morning. Announcing after a conference with the President early today that the note would go forward before nightfall, Mr. Lansing, who becomes ad interim Secretary of State, declared that it had been decided to withhold its publication

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